



***Substitute House Bill No. 6820***

***Public Act No. 05-36***

***AN ACT CONCERNING OPTOMETRY AND OPHTHALMOLOGY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (g) of section 20-127 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(g) (1) [No] An optometrist [shall] may delegate to [any person] an optometric assistant, optometric technician or appropriately trained person the use [,] or application [or prescription] of any [ocular agent-D or ocular agent-T except that] ocular agent in accordance with section 20-138a, as amended by this act, or an optometrist may cause the same to be self-administered by a patient under the care and direction of the optometrist.

(2) No optometrist shall delegate to any person the authority to prescribe any ocular agent.

Sec. 2. Section 20-138a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) No person shall engage in the practice of optometry in this state unless such person has first obtained a license from the Department of Public Health, but the provisions of this chapter shall not prevent a

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licensed optometrist from delegating optometric services to either a trained optometric assistant or to an optometric technician. Such delegated services shall be performed only under the supervision, control, and responsibility of the licensed optometrist, except that [optometric assistants and optometric technicians shall not be authorized to use prescription and or diagnostic drugs pursuant to this chapter or chapter 417 nor shall] optometric assistants or optometric technicians shall not be authorized to refract eyes, detect eye health, prescribe spectacles, eyeglasses or contact lenses. A licensed optometrist may delegate to an optometric assistant, optometric technician or appropriately trained person the use and application of any ocular agent, provided such delegated service is performed only under the supervision, control and responsibility of the licensed optometrist. Optometric services that may be delegated to an optometric assistant or to an optometric technician may be delegated to an optometric assistant trainee, provided [that] such services are performed only under the direct supervision, control and responsibility of the employing licensed optometrist.

(b) Any person in violation of this section shall be fined not more than five hundred dollars or imprisoned not more than five years or both, for each offense. For purposes of this section each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

[(b)] (c) For the purposes of this section: (1) "Optometric assistant" means a person who has either completed two hundred hours of on-the-job training, an affidavit in support of which shall be kept by the employing optometrist on the premises, or graduated from a vocational program in optometric technicianry; (2) "optometric assistant trainee" means a person who has completed less than two

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hundred hours of on-the-job training and who is under the direct supervision, control and responsibility of an employing, licensed optometrist when performing optometric services which may be delegated to optometric assistants and to optometric technicians; (3) "optometric technician" means a person who has either completed a two-year college program in optometric technicianry, or passed the national optometric technician registration examination given by The American Optometric Association; and (4) "appropriately trained person" means a person who has completed on-the-job training in the use and application of ocular agents under the supervision, control and responsibility of an employing, licensed optometrist, an affidavit in support of which shall be kept by the employing optometrist on the premises.

Sec. 3. (NEW) (*Effective October 1, 2005*) A physician licensed pursuant to chapter 370 of the general statutes, who specializes in ophthalmology, may delegate to an appropriately trained medical assistant the use or application of any ocular agent, provided such delegated service is performed only under the supervision, control and responsibility of the licensed physician. For purposes of this section, "appropriately trained medical assistant" means a medical assistant who has completed on-the-job training in the use and application of ocular agents under the supervision, control and responsibility of an employing, licensed physician, an affidavit in support of which shall be kept by the employing physician on the premises.

Approved May 17, 2005